

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON 12/14/2018

ORDINANCE NO. 50-908

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2018-00044

City zone change from SF-5 Single-Family Residential and LC Limited Commercial to OW Office Warehouse and described as follows:

Lot 2, N-F Addition, Wichita, Sedgwick County, Kansas, and Lots 3, 4 and 5, Block 2, Eureka Gardens Addition to Wichita, Sedgwick County, Kansas, Generally located south of West Taft Avenue and east of South West Street (508, 526, and 534 South Illinois Avenue).

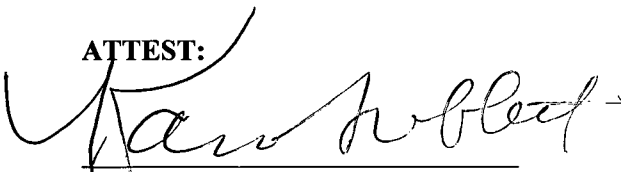
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

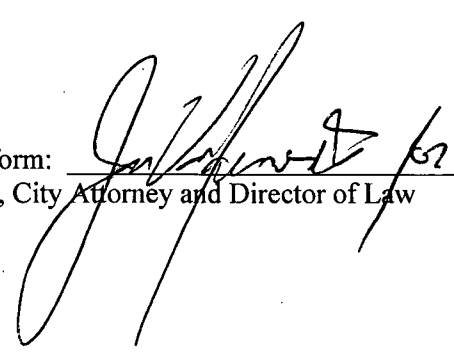
ADOPTED this 11TH day of Dec, 2018.


Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to form: 
Jennifer Magaña, City Attorney and Director of Law



STAFF REPORT

MAPC November 1, 2018

DAB IV November 5, 2018

CASE NUMBER: ZON2018-00044

APPLICANT/AGENT: Marko, LLC, Mark Eaton (Owner) / Baughman Company, P.A. – Russ Ewy (Agent)

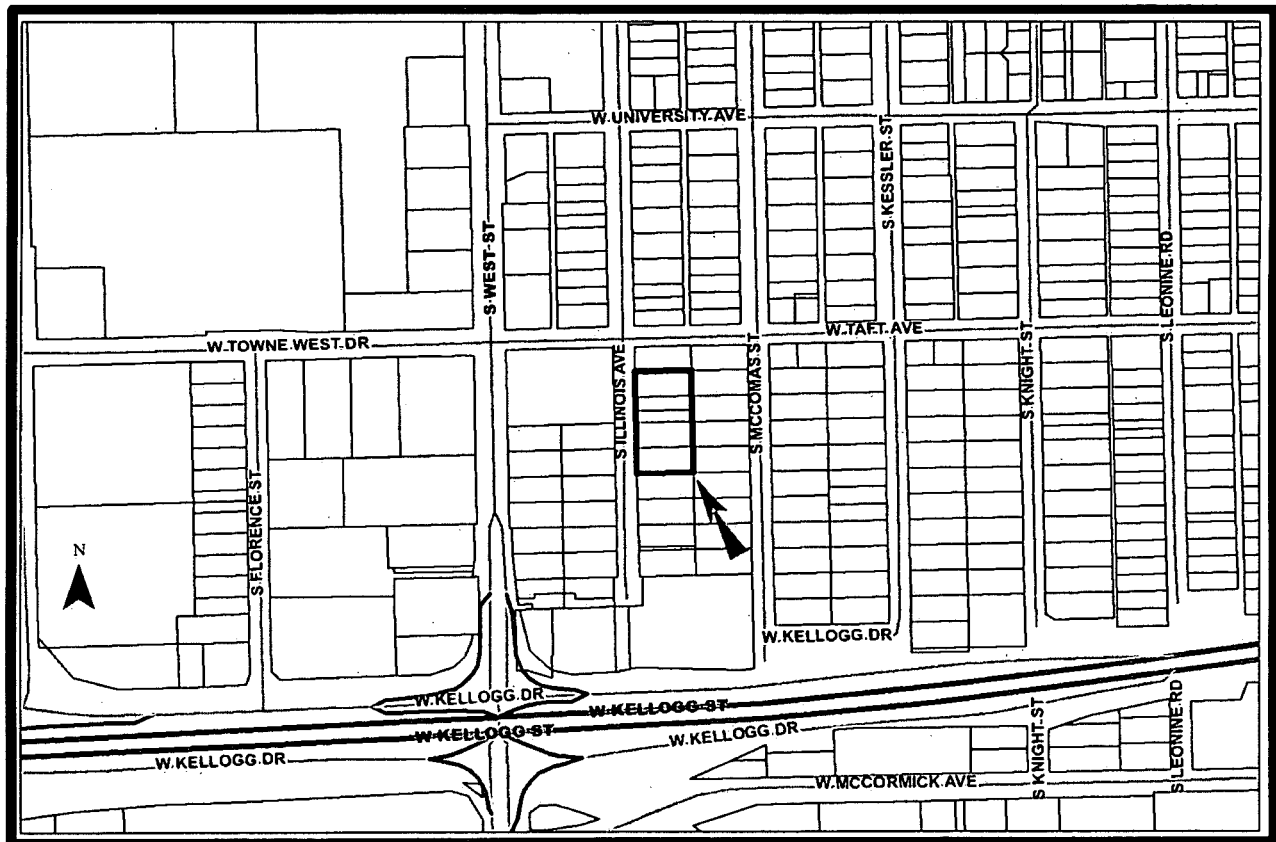
REQUEST: OW Office Warehouse

CURRENT ZONING: SF-5 Single-Family Residential and LC Limited Commercial

SITE SIZE: 1.1 acres

LOCATION: Located on the east side of south Illinois Avenue, south of West Taft Avenue, and approximately one block east of South West Street (508 South Illinois)

PROPOSED USE: Future Office/Warehouse development



ZON2018-00044

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends APPROVAL of the request, as submitted. This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The surrounding neighborhood is a mixture of uses. The property to the west on the west side of Illinois Avenue is zoned LI Limited Industrial (LI) and occupied with a branch bank and other commercial uses. The property to the north is zoned LC Limited Commercial and occupied by a single-family residence. To the east are properties zoned SF-5 Single-Family Residential (SF-5) and occupied with single-family residences. The property to the south is zoned SF-5 Single-Family Residential and occupied by a single-family residence.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single-Family Residential and LC Limited Commercial and could be developed accordingly.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Given the extent of other commercial development in the immediate area, there should be no negative impacts by the future office/warehouse development. Development standards within the Unified Zoning Code will provide adequate safeguards in the future as needed. The proposed OW Office Warehouse zoning is more appropriate to transition to the residential zoning and uses.
4. **Length of time the property has been vacant as currently zoned:** The property has more limited value within today's market in the OW zoning classification and the request is not unreasonable at this location.
5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for "residential employment mix," and is located within Wichita's 2035 Established Central area. The residential/employment mix encompasses areas of land that will likely be developed or redeveloped by 2035 with uses predominately of a mixed nature.

The conversion of this land to office/warehouse uses is recognized as an appropriate redevelopment in this area given the requirements of the Unified Zoning Code for Compatibility Height and Setback requirements, and the screening and buffering requirements adjacent to the residential uses. Those issues will be addressed as part of the approval process for future building permits.

The site is located with the Established Central Area of the Community Investments Plan. The Wichita Urban Infill Strategy is focused on the Established Central Area – comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius. Increased levels of infill redevelopment throughout the Established Central Area is a major policy goal of the Community Investments Plan. One of the strategies to promote infill redevelopment is to support regulatory changes, like the proposed rezoning of this property, to permit infill projects.

The overall spirit and intent of this rezoning appears to be in conformance with the above stated policies and guidelines of the adopted Plans for the City of Wichita.

6. **Impact of the proposed development on community facilities:** The change in zoning classification of the property to OW would not have any impact on community facilities or resources. All public improvements are available to serve the property.